

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CIVIL DOCKET NO.: 5:07CV89-V**

**Larry McCloud, Administrator of the** )  
**Estate of Garry Wayne McCloud** )  
**Plaintiff,** )

**v.** )

**Melissa Hildebrand and** )  
**The City of Hickory, North Carolina,** )  
**Defendants.** )

**ORDER**

**THIS MATTER** is before the Court on Plaintiff's Notice of Withdrawal of Motion for Reconsideration, filed December 7, 2010.<sup>1</sup> (Document #49)

**IT IS, THEREFORE, ORDERED** that Plaintiff's Notice of Withdrawal is **GRANTED**. Accordingly, Plaintiff's Motion for Reconsideration is hereby **DENIED without prejudice**.

Signed: December 9, 2010



Richard L. Voorhees  
United States District Judge



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<sup>1</sup> The legal issues raised within Plaintiff's Motion for Reconsideration will likely be addressed by the Fourth Circuit in the course of resolving Defendant Hildebrand's appeal. *See* USCA Fourth Circuit Case Number 10-2351 and Notice of Appeal. (Documents ##46, 48)